

RHODE ISLAND DEPARTMENT OF ADMINISTRATION
DIVISION OF MOTOR VEHICLES

RHODE ISLAND
SAFETY AND EMISSIONS CONTROL REGULATION NO. 2

RHODE ISLAND HEAVY DUTY DIESEL VEHICLE INSPECTION PROGRAM

2. Rhode Island Heavy-duty Diesel Vehicle Inspection Program

2.1. Definitions

As used in these regulations the following terms shall, where the context permits, be construed as follows:

- 2.1.1 "Authorized Fleet Inspection Stations (AFIS)" means a fleet of 10 or more vehicles that is certified by the DMV to conduct emissions and safety inspections.
- 2.1.2 "Calibration" means the act of checking the accuracy of an opacity analyzer against specifications for opacity analyzers as described in Appendix "A" and "B" in order to assure valid test results.
- 2.1.3 "Day" means a calendar day, unless otherwise designated.
- 2.1.4 "Diesel Certified Inspection Technician or (DCIT)" means a technician certified by the DMV to conduct official inspections at a Heavy-duty Authorized Inspection and Repair Station (HD-AIRS) or at an Authorized Fleet Inspection Station (AFIS).
- 2.1.5 "Division of Motor Vehicles" or "DMV" means the Division of Motor Vehicles of the Rhode Island Department of Administration.
- 2.1.6 "Driver" means any person who operates any motor vehicle.
- 2.1.7 "Fleet" means a fleet of ten (10) or more heavy-duty diesel vehicles having weight of greater than 8,500 lbs. GVWR registered or required to be registered, when operated from a facility within the State of Rhode Island.
- 2.1.8 "Gross vehicle weight rating (GVWR)" is the weight value specified by the vehicle manufacturer on the federal weight certification label as the loaded weight of a vehicle.
- 2.1.9 "Heavy-duty Authorized Inspection and Repair Station" and "HD-AIRS" mean an inspection location authorized by the DMV to provide motor vehicle safety and emission inspection for heavy-duty vehicles.
- 2.1.10 "Heavy-duty Diesel Vehicle" means a vehicle which is self propelled by a compression ignition type of internal combustion engine and which is designed primarily for transporting persons or property on a public street or highway and has a GVWR greater than 8,500 lbs..
- 2.1.11 "Model year" means the year designated by the manufacturer as the vehicle model year.
- 2.1.12 "Motor Carrier" means a for hire motor carrier or a private motor carrier. The term includes a motor carrier's agents, officers and representatives as well as employees

responsible for hiring, supervising, training, assigning, or dispatching of drivers and employees concerned with the installation, inspection, and maintenance of motor vehicle equipment and/or accessories. This definition also includes the terms employer and exempt motor carrier as defined in Federal Motor Carrier Safety Administration Regulations CFR 49 subtitle B section 390.15.

- 2.1.13 "Non-Road Vehicle" means a vehicle designed for use off public highways.
- 2.1.14 "Motor vehicle" means every motor vehicle that is self-propelled, except vehicles moved exclusively by human power and motorized wheelchairs.
- 2.1.15 "Opacity" means the percentage of light transmitted from a source, which is prevented from reaching a light detector.
- 2.1.16 "Person" means any individual, partnership, corporation, whether private, public or municipality, state governmental department, quasi-state agency, or other legal entity.
- 2.1.17 "State Police" means the Rhode Island State Police.
- 2.1.18 "Tampering" means the removal, disconnection, or rendering inoperative a safety or emission control device.
- 2.1.19 "Test" and "testing" mean the application of techniques, methods, policies and procedures established or approved by the DMV for the purposes of measuring emission levels in heavy-duty diesel vehicles.

2.2 Applicability

Beginning January 4, 2003, or as soon as thereafter practical, Phase I, the On-Road inspection requirement shall commence. Beginning upon receipt of adequate program funding and no earlier than January 5, 2004, Phase II, the Periodic Inspection requirement shall commence. These regulations apply to all heavy-duty diesel vehicles.

2.2.1 Legislative Authority

Authority for the promulgation of this regulation is provided in the State of Rhode Island General Laws, Title 31, Chapter 31-47.2, "Heavy-duty Diesel Vehicle Emission Inspection".

2.2.2 Emission Standards

The inspection test type and emission standard for heavy-duty diesel trucks and buses, with a GVWR greater than 8500 lbs., are established by the DMV as follows:

(1) Heavy-duty **Diesel Truck** Emission Test Type

Vehicle Class	Test Type
Vehicles 8,500 to 10,000 lbs. GVWR	(RESERVED)
Vehicles over 10,000 lbs.	SAE J1667 smoke opacity test

(2) Heavy-duty **Diesel Truck** Emission Standard

Vehicle Class	Standard
Model years 1991 and newer and over 10,000 lbs. GVWR	The level of peak smoke opacity shall not exceed forty (40) percent
Model years 1990 and older and over 10,000 lbs.	The level of peak smoke opacity shall not exceed fifty-five (55) percent.
Vehicles 8,500 to 10,000 lbs.	(RESERVED)

(3) Heavy-duty **Diesel Bus** Opacity Emissions Test Type

Vehicle Class	Test Type
Vehicles 8,500 to 10,000 lbs. GVWR	(RESERVED)
Vehicles over 10,000 lbs.	SAE J1667 smoke opacity test

(4) Heavy-duty **Diesel Bus** Emissions Standard

Vehicle Class	Standard
Model years 1988 and newer and over 10,000 lbs. GVWR	The level of peak smoke opacity shall not exceed thirty (30) percent
Model years 1987 and older and over 10,000 lbs.	The level of peak smoke opacity shall not exceed forty (40) percent
Vehicles 8,500 to 10,000 lbs.	(RESERVED)

2.2.3 Test Specifications

In the J1667 Test inspectors shall follow the specific procedures and adhere to the standards outlined in the heavy-duty diesel vehicle specifications referenced in Appendix “A”.

2.3 Exemptions

The following vehicles shall be exempt from the emissions inspection portion of these regulations:

- 2.3.1 a new motor vehicle until twelve (12) months after its date of initial purchase;
- 2.3.2 tactical military vehicles;
- 2.3.3 non-road vehicles;
- 2.3.4 electric powered vehicles; and,
- 2.3.5 farm tractors.

2.4 On-Road Inspections

2.4.1 Performance of the Emissions Inspection

Beginning on January 4, 2003, or as soon thereafter as practical, heavy-duty diesel vehicles that operate on the highways of the state shall be subject to On-Road emissions inspections in order to determine whether such vehicles are in compliance with the emissions standards for heavy-duty diesel vehicles found in section 2.2.2.

2.4.2 Test Procedure

The on-road inspection shall be performed following the SAE J1667 Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel Powered Vehicles referenced in Appendix “A”.

2.4.3 Emissions Inspection Failure

The registered owner, vehicle lessees or motor carriers of vehicles that are found not to be in compliance with the standards of section 2.2.2 of these regulations shall fail the emissions inspection and shall be issued a summons, an inspection report and a test results form informing them of the results of the inspection, the amount of the applicable penalty, and of the requirement to bring the vehicle into

compliance within 45 calendar days of the issuance of the summons, or not be operated on the highways of Rhode Island.

2.4.4 Emissions Inspection Information for Vehicles that Fail Inspection

The information in the summons, inspection report and test results form will include, but not be limited to, the following:

- (1) Inspection location and date;
- (2) Vehicle year and make;
- (3) Vehicle registration number and registration state;
- (4) Vehicle Identification Number (VIN);
- (5) Gross Vehicle Weight Rating (GVWR);
- (6) Vehicle type;
- (7) Engine temperature (cold, normal, or above normal);
- (8) Exhaust stack diameter;
- (9) Vehicle mileage;
- (10) Name and address of owner;
- (11) Test time;
- (12) Calibration date of analyzer;
- (13) Driver's name, license number, and license state;
- (14) Federal Department of Transportation (DOT) number;
- (15) Opacity results;
- (16) Pass/fail designation;
- (17) Signature of driver indicating receipt of inspection report; and
- (18) Signature of inspector;
- (19) other information as the RI State Police may reasonably require or enable it to determine compliance with these regulations.

2.4.5 Passing Vehicle

The registered owner, vehicle lessees or motor carriers of vehicles that are found to be in compliance with the standards of section 2.2.2 (Emissions Standards) of these regulations shall pass the emissions inspection and will only receive a test results form.

2.4.6 Repair Certification

The registered owner, vehicle lessees or motor carriers of a vehicle failing an On-Road Inspection for the emissions inspection standards of this regulation shall submit documentation to the Department of Administration, Division of State Police that repairs to vehicle which are appropriate to the reason for failure have been made. This documentation shall be submitted within 45 days of the issuance of a citation for emissions inspection failure and shall include the following information:

- (1) name of the repair facility;
- (2) vehicle identification number; and,
- (3) a statement describing the repairs that were made including original itemized bills for parts and or parts and labor.

2.5 Periodic Inspection Procedures

Beginning upon receipt of adequate program funding and no earlier than January 5, 2004, the registered owner, vehicle lessees or motor carrier of a heavy-duty diesel vehicle shall obtain a vehicle emissions inspection. The emissions inspection can occur at a Heavy-duty Authorized Inspection Repair Station (HD-AIRS) or at an Authorized Fleet Inspection Station (AFIS).

2.5.1 Emissions Inspection Frequency

Registered owner, vehicle lessees or motor carrier of heavy-duty diesel vehicles subject to the periodic portion of the Rhode Island Heavy-duty Diesel Vehicle Inspection Program shall have their vehicle inspected at least annually. The inspection shall be conducted prior to the end of the month indicated on the vehicle's current inspection sticker.

2.5.2 Registration

Upon commencement of the Periodic Inspection phase of the program and no earlier than January 5, 2004, no heavy-duty diesel vehicle except those exempted in section 2.3 of these regulations, may be registered or any registration renewed unless a required annual official inspection has been conducted and the vehicle has been found to comply with the requirements of this regulation.

2.5.3 Inspection Fee

Registered owner, vehicle lessees or motor carrier shall be charged an inspection fee of \$55.00 dollars for the inspection of a heavy-duty diesel vehicle at HD-AIRS locations. Owners of fleet locations must pay \$30.00 for each inspection they conduct. The inspection fee must be paid for each heavy-duty diesel vehicle inspected and is payable whether a compliance certificate, or no certificate is issued.

2.5.4 Inspection Stations

- (1) Heavy-duty Authorized Inspection and Repair Stations and Authorized Fleet Inspection Stations shall be established and be authorized to conduct emissions inspections using the SAE J1667 Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel Powered Vehicles referenced in Appendix "A" of this regulation.
- (2) The Heavy-duty Authorized Inspection and Repair Stations and Authorized Fleet Inspection Stations shall calibrate the inspection testing of equipment using calibration frequency and procedure of the SAE J1667 Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel Powered Vehicles referenced in Appendix "A" of this regulation.

2.5.5 Reinspection

Any motor vehicle inspected and found not to comply with the standards for motor vehicle safety and emissions inspections must be reinspected within forty-five (45) days of the initial emissions inspection. If a vehicle is reinspected at the HD-AIRS that conducted the initial emissions inspection, the management of the HD-AIRS shall not charge an additional inspection fee.

2.5.6 Inspection Prohibited

The HD-AIRS shall refuse to perform the inspection of any heavy duty vehicle subject to the Rhode Island Heavy-duty Diesel Vehicle Inspection Program if the vehicle is determined by the HD-AIRS to be in such an unsafe condition as to be a hazard to inspection personnel and/or the vehicle operator. The vehicle shall not be inspected until the reason for the refusal has been remedied.

2.5.7 Safety Inspection Standards

The HD-AIRS shall adhere to the Safety Inspection Procedures as specified in the Division of Motor Vehicles (DMV) Rhode Island 2000 Official Manual for Vehicle Inspection. The Division of Motor Vehicles, Rhode Island 2000 Official Manual for Vehicle Inspection may be modified and updated periodically to address changes in vehicle technology and mechanical practices.

2.5.8 Vehicle Inspection Documentation

The HD-AIRS shall provide an inspection report to the owner/lessee of each heavy-duty diesel vehicle inspected upon completion of a safety and emissions inspection. The safety and emissions inspection report form will be provided by the DMV and shall include:

- (1) inspection station and inspector numbers;
- (2) the type of test(s) performed;
- (3) the date of the inspection;
- (4) the inspection report serial number;
- (5) vehicle model year, make, and type;
- (6) vehicle registration plate number;
- (7) Federal Department of Transportation (DOT) number;
- (8) horse power of vehicle or exhaust pipe size;
- (9) gross vehicle weight rating;
- (10) the vehicle identification number;
- (11) the odometer reading to the nearest 1,000 miles;
- (12) type of inspection (initial inspection or reinspection);
- (13) the pass/fail result of opacity test;
- (14) test results in percentage of opacity;
- (15) test time;
- (16) calibration date of analyzer;
- (17) list of any repairs which were performed;
- (18) list of the cost of parts and labor for repair; and,
- (19) other information as the DMV may reasonably require or enable it to determine compliance with these regulations.

2.5.9 Pass/Fail Designation

Owners/lessees of a diesel powered motor vehicle meeting the inspection standards shall, upon completion of the inspection, receive an inspection sticker and inspection report indicating a pass designation. Those that fail inspection shall be issued an inspection report indicating the vehicle has failed the inspection standards and that the vehicle must be brought into compliance within 45 calendar days or not be operated on the highways of Rhode Island.

2.6 Authorized Inspection Stations and Inspectors

Technicians and business owners/managers seeking authorization as an inspector or inspection station or must obtain authorization from the DMV before they can conduct official inspections.

2.6.1 Heavy-duty Authorized Inspection and Repair Station (HD-AIRS)

Owners of diesel repair facilities may be authorized by the DMV to conduct official inspections.

(1) Requirements

A repair facility which is authorized as a Heavy-duty Authorized Inspection and Repair Station (HD-AIRS) shall use a smoke opacity analyzer approved by the DMV to perform the SAE J1667 test method, and shall provide necessary space, testing equipment, tools, liability insurance, signage, repair reports and copies of the Rhode Island 2000 Official Manual for Vehicle Inspection, rules and regulations and other informational materials as may be designated and required by the DMV. At least one Diesel Certified Inspection Technician (DCIT) shall be available to perform emissions inspections during the HD-AIRS normal business hours. An authorized inspection station can not be located outside of Rhode Island.

(2) Application

Application for authorization shall be made on an official application form designated by the DMV. Authorization shall be granted when the applicant demonstrates the ability to meet the requirements of this regulation and the Rhode Island 2000 Official Manual for Vehicle Inspection. No authorization may be assigned, transferred or used at any location other than the location designated on the original application. The authorization may be withdrawn by the DMV for good cause at any time.

2.6.2 Authorized Fleet Inspection Stations (AFIS)

The owner of a fleet of 10 or more diesel powered motor vehicles that are centrally maintained may apply for authorization as an AFIS and must be certified by the DMV prior to conducting official inspections.

(1) Requirements

A repair facility which is authorized as a Authorized Fleet Inspection Station shall use a smoke opacity analyzer approved by the DMV to perform the SAE J1667 test method, and provide the

necessary space, tools, liability insurance, and copies of the Rhode Island 2000 Official Manual for Vehicle Inspection and regulations as may be designated and required by the DMV. At least one Certified Inspection Technician (DCIT) shall be available to perform emissions inspections. An authorized fleet station inspection station can not be located outside of Rhode Island.

(2) Application

Application for authorization shall be made on an official application form designated by the DMV. Authorization shall be granted when the applicant demonstrates the ability to meet the requirements of the Rhode Island 2000 Official Manual for Vehicle Inspection and this regulation. No authorization may be assigned, transferred or used at any location other than the location designated on the original application. The authorization may be withdrawn by the DMV for good cause at any time.

2.6.3 Reporting

Owners of HD-AIRS and AFIS shall provide a monthly "Inspection Activity Report" to the DMV on the first Wednesday of each month.

The report must be on a form designed by the DMV and shall include but not be limited to the following:

- (1) the number of initial inspection, or reinspection performed;
- (2) the number of vehicles that passed the inspection;
- (3) the number of vehicles that failed the inspection;
- (4) a copy of the inspection report for each vehicle inspected and,
- (5) other information as the DMV may reasonably require to enable it to determine compliance with these regulations.

2.6.4 Diesel Certified Inspection Technicians (DCIT)

Individuals must be certified by the DMV to conduct official inspections.

(1) Requirements

A person seeking certification as a Diesel Certified Inspection Technician (DCIT) must be sixteen (16) years of age or older, and must hold a valid drivers license to operate all vehicles subject to this regulation. In addition, the DCIT applicant must have successfully completed the requirements of a training course approved by the DMV or designee. The Diesel Certified Inspection Technician must demonstrate to the DMV a knowledge of and proficiency in performing the required test procedures.

(2) Application

The application for Diesel Certified Inspection Technician must be on an official form designated by the DMV. The application is for an individual not a corporate or company application. The designation as a Diesel Certified Inspection Technician may be withdrawn by the DMV for good cause at any time.

2.7 Penalties, Fines and Prohibitions

2.7.1 On-road Inspection

Persons, who operate or permit the operation of any heavy-duty diesel vehicle that fails the On-Road inspection, shall be subject to the fines described in section 2.7.2 of this regulation.

2.7.2 Fines

The fines shall apply to each specific vehicle separately.

Level of Offence	Fine Applicable
First offense	a fine of one hundred dollars (\$100)
Second offense	a fine of five hundred dollars (\$500)
Each subsequent offense	a fine of one thousand dollars (\$1000)

2.7.3 Fine Reductions

The fines in section 2.7.2 of these regulations may be reduced upon submission documentation, as required in section 2.4.7 (Repair Certification) of this regulation, within forty-five (45) days demonstrating that repairs or adjustments have been made to the vehicle.

There shall be no reduction for the first violation. Any reduction of the penalty for second, third and subsequent violations shall be not more than four hundred fifty (\$450) dollars.

2.7.4 Suspension

Any person who fails to have the vehicle repaired within the forty-five (45) day period required by section 2.7.3, and to provide documentation of such emissions repair within said period, shall result in the suspension of the registration of the vehicle in question until that vehicle is brought into compliance.

2.7.5 Record of Offences

A record of each offence shall be recorded and maintained on file. The record of previous offences shall be expunged from the files every eighteen (18) months.

2.7.6 Periodic Inspection

Persons who operate or permit the operation of any heavy-duty diesel vehicle that fails the periodic inspection, or have failed to obtain an emissions inspection as required under section 2.5 Periodic Inspection upon implementation of the periodic inspection program shall be subject to the fines described in section 2.7.9 of this regulation.

2.7.7 Tampering

No person may materially alter or change any equipment or mechanism of a heavy-duty diesel vehicle that has received a compliance certificate in such a manner that the vehicle no longer complies with the standards for heavy-duty vehicle emissions inspections. This section shall not be construed as preventing the temporary alteration of equipment for the purpose a vehicle repair.

2.7.8 False Information

No person shall give false information to the State Police, DMV, the Administrator or his designee, or a HD-AIRS concerning compliance with the provisions of these regulations.

2.7.9 Fines

The fines shall apply to each specific vehicle separately.

The penalty for operating or permitting the operation of any heavy-duty diesel powered motor vehicle that fails the periodic inspection, for the failure to obtain an emissions inspection as required, for vehicle tampering, or for giving false information the State Police, DMV, the Administrator or his designee, or a HD-AIRS concerning compliance with the provisions of these regulations is five hundred (\$500) dollars for the first violation and for each subsequent violation. There shall be no reduction from any penalties imposed under this section.

2.7.10 Suspension

Persons who operate or permit the operation of any heavy-duty diesel vehicle that fails the periodic inspection, or have failed to obtain an emissions inspection as required shall be issued a demand notice requiring compliance with emissions inspection requirements within five (5) days. Persons who fail to comply with a demand notice shall be subject to suspension of their vehicle's registration.

2.8 Proceedings for Enforcement

2.8.1 Jurisdiction - Administrative Penalties

Registered vehicle owners, vehicle lessees, or motor carriers found in violation of the emission standards in Section 2.2.2 of this regulation and who have been issued a vehicle summons by the Rhode Island State Police shall be subject to the Rules of Procedure of the Rhode Island Traffic Tribunal and General Laws Title 31, Chapter 31-41.1, Section 31.41.1-4 Schedule of Violations, 31-47.2-6 Heavy-duty Diesel Vehicle Emission Inspections. The Rhode Island Traffic Tribunal shall administer the collection of fines related to this regulation.

APPENDIX “A”
Rhode Island
Heavy-duty Diesel Inspection Program

Society of Automotive Engineers J1667, Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel Powered Vehicles © Society of Automotive Engineers

The Society of Automotive Engineers (SAE) SAE J1667 Snap-Acceleration Smoke Test Procedure may be obtained as follows:

By Mail:

SAE World Headquarters
400 Commonwealth Drive
Warrendale, PA 15096-0001 USA

By Phone:

Customer Service: 1-877-606-7323 (U.S. and Canada only) or 724/776-4970
(outside the U.S. and Canada)

By Fax:

Customer Service: 724/776-0790

By E-Mail:

<http://www.sae.org>

APPENDIX “B”
Rhode Island
Heavy-duty Diesel Inspection Program

Test Procedures - Additional Test Procedures

(RESERVED)

The following may be contacted to obtain any further information regarding DMV Safety and Emissions Control Regulation No. 2

Thomas Barry, Principal Air Quality Specialist Mobile Sources Section	John DiTomasso, Assistant Administrator, Safety and Regulation
Department of Environmental Management	Division of Motor Vehicles
Office of Air Resources	Safety and Emission Section
235 Promenade Street	286 Main Street
Providence, RI 02908	Pawtucket, RI 02960
(401) 222-2808 ext. 7021	(401) 588-3020 ext. 2073
toll free 1-800-752-8088	TCDD (401) 728-0855
TCDD (401) 222-6800	